

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2211 - HB 2620

February 19, 2022

SUMMARY OF BILL: Creates a Class A misdemeanor offense for cases in which a person recklessly stores a firearm in a manner that the person knows or reasonably should know will allow a minor to access the firearm, and the minor brings the firearm to school in violation of current law.

FISCAL IMPACT:

Increase Local Expenditures - \$1,800/FY22-23 and Subsequent Years*

Assumptions:

- It is unknown exactly how many incidents occur each year of a minor bringing a firearm to school in violation of current law.
- Based on local news reports, between the school years beginning in 2018 and ending in 2022, with the 2020-2021 school year omitted due to pandemic disruptions, the average number of incidents is at least 12 in Metro Nashville Public Schools alone.
- Based on a local news report, in 2021 there were at least seven such incidents in Hamilton County Schools.
- If 19 incidents (12 + 7) occur each year in just two urban school districts, it is reasonable to assume that at least 40 such incidents occur each year across the state.
- It is not known how many of those cases involve the minor gaining access to the firearm as a result of another person having recklessly stored it, thus allowing the minor access.
- It is also assumed that securing a conviction in these cases will be challenging.
- It is assumed that the proposed legislation will result in two such convictions per year.
- A person convicted of a Class A misdemeanor offense is estimated to spend 15 days in a local jail.
- Based on cost estimates provide by local government entities throughout the state and reported bed capacity within such facilities, the weighted average cost per day to house an inmate in a local jail facility is \$60.69.
- Therefore, a recurring increase in local expenditures estimated to be \$1,821 [2 convictions x (\$60.69 x 15)] in FY22-23 and subsequent years.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is minimal due to defendants often not paying them; therefore, any increase in local revenue from fines is estimated to be not significant.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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